

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**RONALD PRESSLEY and  
LORESTINE PRESSLEY  
Plaintiffs,**

**v.**

**USAA GENERAL INDEMNITY  
COMPANY,  
Defendant.**

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**CIVIL ACTION NO. 25-1937**

**ORDER**

**AND NOW**, this **30th** day of **June, 2025**, upon review of the docket, Defendants' Motion to Dismiss (ECF No. 11), and Plaintiffs' Responses in Opposition (ECF Nos. 13, 14), and for the reasons set forth in the accompanying memorandum opinion, it is hereby **ORDERED** that the Motion (ECF No. 11) is **GRANTED** as follows:

1. As agreed among the Parties:

- a. The request for punitive damages in Count III of Plaintiffs' Complaint is **DISMISSED**; and
  - b. The claim for unjust enrichment in Count IV of Plaintiffs' Complaint is **DISMISSED**.
2. The claim for breach of contract in Count I of Plaintiffs' Complaint is hereby **DISMISSED** with prejudice as subsumed in Count III.
3. The claim for statutory bad faith in Count II of Plaintiff's Complaint is hereby **DISMISSED** without prejudice.

Count III of the Complaint is otherwise permitted to proceed to discovery. Defendant must file an answer to Plaintiffs' complaint within fourteen (14) days, by **Monday, July 14, 2025**.

**BY THE COURT:**

**/s/ CHAD F. KENNEY**

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**CHAD F. KENNEY, J.**